

MEETING MINUTES
Board of Mental Health Practice
September 11, 2015

These minutes were approved by
the Board on 11/13/2015

1. ROLL CALL

The meeting of the Board of Mental Health Practice was called to order by the Chair, Tom Maxson, at 9:00 a.m. in Lower Level Room A, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. Copies of the agenda were mailed to the Board members and other interested parties in accordance with the Open Meetings Law.

Members Present:	Dale Battleson Susan Feyen William Gaughan Alan Green Tom Maxson Susan Meyerle Terrance Moore Sarita Ruma	Vice-Chair Secretary Member Member Chair Member Member Member
Members Absent:	Allison Reisbig Shari Schnuelle	Member Member (arrived 9:06 a.m.)
Others Present:	Kris Chiles Julie Agena Nancy Herdman Kathy Krueger Russell Fosler Dennis Scott Jeff Newman Larry Wiehn	Program Manager, Licensure Unit Assistant Attorney General Health Licensing Coordinator, Licensure Unit Investigator Investigator Investigator Investigator Investigations

A quorum was present and the meeting convened.

2. ADOPTION OF AGENDA

MOTION: Meyerle moved, seconded by Ruma, to adopt the agenda. A roll call vote was taken. Voting aye: Battleson, Feyen, Gaughan, Green, Maxson, Meyerle, Moore, Ruma (8). Voting nay: None (0). Absent: Reisbig, Schnuelle (2). Abstain: None (0). Motion carried.

3. APPROVAL OF MINUTES (7-10-15)

MOTION: Meyerle moved, seconded by Moore, to approve the minutes of 7-10-15. A roll call vote was taken. Voting aye: Battleson, Feyen, Gaughan, Meyerle, Moore, Ruma (6). Voting nay: None (0). Absent: Reisbig, Schnuelle (2). Abstain: Green, Maxson (2). Motion carried.

4. INVESTIGATIVE REPORTS AND OTHER CONFIDENTIAL INFORMATION – CLOSED SESSION

MOTION: Gaughan moved, seconded by Green, to enter into closed session at 9:04 a.m. to hear discussions of an investigative/confidential nature, and for the prevention of needless injury to the reputation of the individuals. A roll call vote was taken. Voting aye: Battleson, Feyen, Gaughan, Green, Maxson, Meyerle, Moore, Ruma (8). Voting nay: None (0). Absent: Reisbig, Schnuelle (2). Motion carried.

9:06 a.m.	-	Schnuelle entered meeting
9:11 a.m.	-	Green departed meeting (conflict)
9:15 a.m.	-	Green entered meeting
9:16 a.m.	-	Feyen departed meeting (conflict)
9:17 a.m.	-	Scott departed meeting
9:19 a.m.	-	Scott entered meeting
9:29 a.m.	-	Feyen entered meeting

9:50 a.m. - Feyen and Ruma departed meeting (conflict)
10:15 a.m. - Feyen and Ruma entered meeting
10:31 a.m. - Scott and Krueger departed meeting
10:32 a.m. - Break
Newman and Fosler departed meeting
10:37 a.m. - Meeting resumed
10:38 a.m. - Ruma departed meeting (conflict)
10:44 a.m. - Ruma entered meeting
10:55 a.m. - Wiehn departed meeting
11:02 a.m. - Feyen departed meeting (conflict)
11:20 a.m. - Feyen entered meeting
12:02 p.m. - Agena departed meeting
12:09 p.m. - Break
12:19 p.m. - Meeting resumed

MOTION: Meyerle moved, seconded by Battleson, to enter into open session at 12:51 p.m. A roll call vote was taken. Voting aye: Battleson, Feyen, Gaughan, Green, Maxson, Meyerle, Moore, Ruma, Schnuelle (9). Voting nay: None (0). Absent: Reisbig (1). Motion carried.

5. REVIEW AND RECOMMENDATIONS – OPEN SESSION

a. Applications and Reinstatements

Jenna Schaecher – LMHP

MOTION: Feyen moved, seconded by Ruma, to recommend acceptance of work experience hours. A roll call vote was taken. Voting aye: Battleson, Feyen, Gaughan, Green, Meyerle, Moore, Ruma, Schnuelle (8). Voting nay: Maxson (1). Abstain: None (0). Absent: Reisbig (1). Motion carried

12:53 p.m. - Kevin Griess, Department attorney, entered meeting

Megan Kirk

MOTION: Meyerle moved, seconded by Battleson, to recommend acceptance of hours. A roll call vote was taken. Voting aye: Battleson, Feyen, Gaughan, Green, Maxson, Meyerle, Moore, Ruma, Schnuelle (8). Voting nay: None (0). Abstain: Feyen (1). Absent: Reisbig (1). Motion carried.

Conviction history reviews:

Jamal Morton – PLMHP

MOTION: Meyerle moved, seconded by Moore, to recommend approval of the PLMHP. A roll call vote was taken. Voting aye: Battleson, Feyen, Gaughan, Green, Maxson, Meyerle, Moore, Ruma, Schnuelle (9). Voting nay: Reisbig (1). Abstain: None (0). Absent: None (0). Motion carried.

Brian McCarthy – CMSW

MOTION: Feyen moved, seconded by Moore, to recommend approval of the CMSW. A roll call vote was taken. Voting aye: Battleson, Feyen, Gaughan, Green, Maxson, Meyerle, Moore, Ruma, Schnuelle (9). Voting nay: None (0). Abstain: None (0). Absent: Reisbig (1). Motion carried.

Emily Newby – PLMHP

MOTION: Meyerle moved, seconded by Moore, to recommend approval of the PLMHP. A roll call vote was taken. Voting aye: Battleson, Feyen, Gaughan, Green, Maxson, Meyerle, Moore, Ruma, Schnuelle (9). Voting nay: None (0). Abstain: None (0). Absent: Reisbig (1). Motion carried.

Jason Sibson – PLMHP

MOTION: Feyen moved, seconded by Battleson, to recommend approval of the PLMHP. A roll call vote was taken. Voting aye: Battleson, Feyen, Gaughan, Green, Maxson, Moore, Ruma, Schnuelle (8). Voting nay: Meyerle (1). Abstain: None (0). Absent: Reisbig (1). Motion carried.

Peter Falcon – PLMHP

MOTION: Feyen moved, seconded by Ruma, to recommend approval of the PLMHP. A roll call vote was taken. Voting aye: Battleson, Feyen, Gaughan, Green, Maxson, Meyerle, Moore, Ruma, Schnuelle (9). Voting nay: None (0). Abstain: None (0). Absent: Reisbig (1). Motion carried.

Sharly Yowell – PLMHP and PCMSW

MOTION: Meyerle moved, seconded by Moore, to defer the application and request additional information. A roll call vote was taken. Voting aye: Battleson, Gaughan, Green, Maxson, Meyerle, Moore, Ruma, Schnuelle (8). Voting nay: None (0). Abstain: Feyen (1). Absent: Reisbig (1). Motion carried.

6. UNFINISHED BUSINESS

a. Jurisprudence Examination Update and Discussion

The examination has been finalized and is now ready to be entered on survey monkey. It was discussed that the questions could be randomized but the answers could not. Chiles asked the Board if they wanted the examination to be password protected and it was agreed that was a good idea. Chiles will check into the various options available.

1:01 p.m. - Schnuelle departed meeting

b. Review of Conviction Guidelines Document Committee Report and Discussion

The committee will review the Guidelines and recommend changes. The committee is composed of Maxson, Reisbig, Battleson and Green.

c. Status of Regulation 172 NAC 94

There was a meeting with Courtney Phillips regarding the regulations and the issues with moving the regulations forward.

d. Other

There was no information to report.

7. NEW BUSINESS

a. Correspondence

Reisbig submitted an e-mail asking if the November meeting date could be changed since she was not able to attend today and she would not be able to attend the November meeting. After polling the members and finding that no matter what Friday selected in November that someone would not be able to attend, the Board determined to leave the November meeting as scheduled.

Battleson asked if meeting dates for the first few months of 2016 could be selected. The Board selected January 8, 2016 and March 4, 2016, for meeting dates.

b. Other

There was no other new business.

8. UPDATES AND REPORTS

a. Telepractice Subcommittee Report

Meyerle stated that ASWB had developed a telehealth model. She said ASCCB had been discussing whether the licensee must be licensed in the state they reside or the state of the client. The members agreed to take this item off the agenda until there may be more to report on at a later date.

b. AASCB / AMFTRB / ASWB / Citizen Advocacy Center / Justice Behavioral Health Committee

- **AMFTRB** – Battleson and Meyerle will be attending the upcoming meeting.
- **AASCB** – Meyerle reported that AASCB supports that if an individual holds the highest license level for 5 years and has no convictions, that they should be eligible for a license in another state.

c. Disciplinary/Non-Disciplinary Report / Licensure Statistics / Administrative Penalty Fees Assessed

Chiles distributed the list of disciplinary/non-disciplinary actions.

Chiles reported the following examination results for the last two months:

NCE	13 pass, 3 fail
NCMHCE	2 pass, 1 fail
ASWB	1 pass, 1 fail

Chiles reported the following active credentials:

LIMHP	1313
MFT	97
MSW	880
CMSW	29
MHP	2670
CPC	1068
PMSW	195
PLMHP	988
CSW	572

Chiles discussed that in the future the Board might want to consider legislative changes that would address when a person obtains a LIMHP and they hold a LMHP, should the LMHP become null and void. Meyerle said some insurance companies look at how long you hold a license and the LMHP would be held the longest. Chiles then suggested maybe there could be some fee changes as it is confusing to the individual and cumbersome for the staff when processing fees for both licenses for the same person.

d. Other

There was no other information to report.

9. ADJOURNMENT

Maxson adjourned the meeting of the Board of Mental Health Practice at 1:41 p.m.

Respectfully Submitted,

Susan Feyen, Secretary
Board of Mental Health Practice

Next Meeting: November 13, 2015

Summarized by: Nancy Herdman, Health Licensing Coordinator, Licensure Unit